

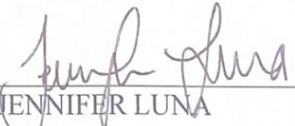
AFFIDAVIT OF JENNIFER LUNA

STATE OF TEXAS §

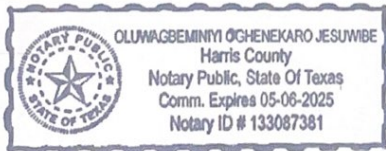
HARRIS COUNTY §

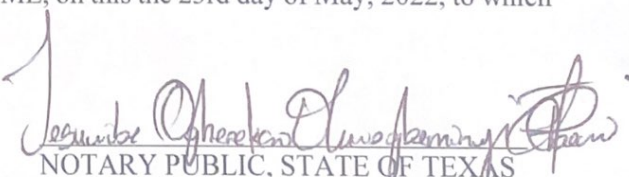
BEFORE ME, the undersigned notary, on this day personally appeared JENNIFER LUNA, the affiant, who after being duly sworn by me, under oath stated that the following is true and correct:

1. My name is Jennifer Luna and I am over 18 years of age, of sound mind, and capable of making this affidavit.
2. I reside in the State of Texas, and I am a law clerk at Daly & Black, the firm representing Plaintiff Timothy McKimmy in this matter.
3. I screen-recorded the three video clips attached as Exhibits to Plaintiff's Response to Defendant's Motion to Compel Arbitration. They are true and correct copies of the video clips I took on the dates I accessed the OpenSea platform. Exhibit 3 was recorded on April 26, 2022, on my Desktop. Exhibit 4 was recorded on May 11, 2022, on my phone. Exhibit 5 was recorded on April 26, 2022, on my Desktop.
4. The Terms of Service were not clickable hyperlinks in any of the three video clips I recorded. There was also no pop ups of the Terms of Service.

  
JENNIFER LUNA

SUBSCRIBED AND SWORN BEFORE ME, on this the 23rd day of May, 2022, to which I certify by my hand and seal of office.



  
NOTARY PUBLIC, STATE OF TEXAS